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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOUIS I. BRAUNSTEIN,

Plaintiff,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION, THEODORE LOWRY,
WILLIAM SPENCER, and DOES 1 through 100,
inclusive.

Defendants.

Case No.: C-05-03698-SI

NOTICE OF SETTLEMENT; [PROPOSED] ORDER

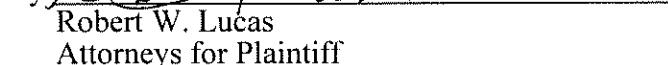
TO THE COURT, ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff Louis I. Braunstein and Defendant International Business Machines Corporation have settled the above-captioned matter after mediation. The parties are currently finalizing settlement documents.. A stipulation and proposed order dismissing this action with prejudice pursuant to Rule 41(a)(1) of Federal Rules of Civil Procedure will be filed once the terms of the settlement are met.

1 Given the resolution of the action, Plaintiff Louis I. Braunstein respectfully requests that the
2 Further Case Management Conference set for October 27, 2006 be vacated and that no Joint Case
3 Management Conference Statement need be filed. Additionally, Plaintiff requests that the Final Pre-
4 Trial Conference scheduled for January 23, 2007 and Trial scheduled for February 5, 2007, be vacated.

5 Dated: October 12, 2006

6 MURPHY, PEARSON, BRADLEY & FEENEY

7 
8 By 
9 Robert W. Lucas
Attorneys for Plaintiff

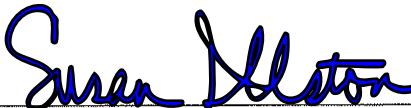
10 [PROPOSED] ORDER

11 GOOD CAUSE APPEARING:

12 It IS ORDERED that the Case Management Conference scheduled for October 27, 2006, is
13 hereby vacated. No appearance is required and no Joint Case Management Conference Statement need
14 be filed. Additionally, the Final Pre-Trial Conference scheduled for January 23, 2007, and Trial
15 scheduled for February 5, 2007, are hereby vacated.

16 A further Case Management Conference is scheduled for January 5, 2007, at
17 2:30 p.m.. If a stipulation for dismissal is filed before that date, no appearance is required.

18
19 Dated: _____ 2006


20 Susan Illston
United States District Court Judge

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1 CERTIFICATE OF SERVICE

2 The undersigned certifies that the above and foregoing instrument was electronically filed with
3 the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the
4 following:

5 Paul Boylan
6 Law Office of Paul N. Boylan
7 P.O. Box 719
Davis, CA 95617

Co-Counsel for Plaintiff
LOUIS BRAUNSTEIN

8 Jeffrey D. Wohl
9 Paul, Hastings, Janofsky & Walker LLP
55 Second Street, Twenty-Fourth Floor
San Francisco, CA 94105

Attorney For Defendant
INTERNATIONAL BUSINESS MACHINES
CORPORATION

10 Dated: October 12, 2006.

11 By 
12 Donna M. Rosse

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